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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/703,329	10/31/2000	Dave Parker	005220.P002	3235

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EXAMINER	
ALAM, UZMA	

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/703,329	PARKER ET AL.	
	Examiner	Art Unit	
	Uzma Alam	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 February 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,9-37, 42-45* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to the request for continued examination filed on February 22, 2005. Claims 1-7, 9-37 and 42-45 are pending. Claims 8 and 38-41 are cancelled. Claims 1, 7, 15, 19, 2, 25, 26, 29, 30, and 34 have been amended. Claims 42-45 are new. Claims 1-7, 9-37 and 42-45 represent a method for monitoring events.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-31 and 34-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Fox et al. Publication of J. of Brazil Soc. Mechanical Sciences.

Fox teaches the invention as claimed including a method and apparatus for connecting to a host system and generating notifications (see abstract).

As per claim 1, Fox et al. discloses a method, comprising:

accessing a port of a host system by a satellite system to monitor a parameter for a predetermined event related to the host system (the front end or expert system of a spacecraft constantly monitors function on the spacecraft and sends via satellite logs of the events to the monitoring operation center (SERS), the SERS monitors these log files constantly; paragraph 4, lines 1-8, paragraph 5, lines 1-7; paragraph 9);

generating, by a monitoring operations center, a notification upon the occurrence of the predetermined event to a first person in a hierarchy (the SERS sending a notification to personnel (SCT) at the host location; paragraph 7, lines 1-8; p 8, p 9); and

escalating, by the monitoring operations center, the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1).

As per claim 2, Fox et al. discloses the method of claim 1, further comprising determining whether the notification is successful (paragraph 7, lines 1-8).

As per claim 3, Fox et al. discloses the method of claim 1, wherein the predetermined event is receipt of a state change of the parameter (paragraph 6, lines 5-8; paragraph 9, lines 3-5; paragraph 10).

As per claim 4, Fox et al. discloses the method of claim 1, wherein the predetermined event is exceeding a threshold value set for the parameter (paragraph 9, lines 3-5; paragraph 10).

As per claim 5, Fox et al. discloses the method of claim 1, further comprising generating the notification a number of times for an amount of time (generating a notification recurrently; paragraph 11).

As per claim 6, Fox et al. discloses the method of claim 5, wherein the number of times, the amount of time, and the time period are configurable (setting the amount of times and how often a notification is sent; paragraph 11).

As per claim 7, Fox et al. discloses a method comprising:

monitoring a host system for a parameter corresponding to a predetermined event (the front end or expert system of a spacecraft constantly monitors function on the spacecraft and sends via satellite logs of the events to the monitoring operation center (SERS), the SERS monitors these log files constantly; paragraph 4, lines 1-8, paragraph 5, lines 1-7, paragraph 9);

generating, by a monitoring operations center, a notification upon the occurrence of the predetermined event to a first person in a hierarchy (the SERS sending a notification to personnel at the host location; paragraph 7, lines 1-8; p 8, p 9); and

escalating, by the monitoring operations center, the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period wherein the parameter is monitored using a satellite system located locally to the host system and wherein the notification is generated remotely from the host system (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1; and the spacecraft communicates to the monitoring operation center by a satellite; paragraph 1, lines 7-10; paragraph 5, lines 4-7; paragraph 7, lines 1-8, paragraph 9).

As per claim 9, Fox et al. discloses the method of claim 1, further

comprising providing a possible cause of the predetermined event occurrence (paragraph 8, paragraph 9, paragraph 12)

As per claim 10, Fox et al. discloses the method of claim 1, where escalation is based on a set of rules (paragraph 7, lines 1-8).

As per claim 11, Fox et al. discloses the method of claim 10, wherein the set of rules is based on a time delay between the notification and the acknowledgement (paragraph 7, lines 1-8).

As per claim 12, Fox et al. discloses the method of claim 10, wherein the set of rules is based on the state change (paragraph 7, lines 1-8).

As per claim 13, Fox et al. discloses the method of claim 10, wherein the set of rules is based on schedules of the first and second persons (paragraph 4, lines 4-7; paragraph 7, lines 1-8; paragraph 15).

As per claim 14, Fox et al. discloses the method of claim 1, wherein the notification is generated and escalated automatically (paragraph 7).

As per claim 15, Fox et al. discloses method, comprising:

monitoring a host system for a parameter corresponding to a predetermined event (the front end or expert system of a spacecraft constantly monitors function on the spacecraft and sends via satellite logs of the events to the monitoring operation center (SERS), the SERS monitors these log files constantly; paragraph 4, lines 1-8, paragraph 5, lines 1-7, paragraph 9);

generating, by a monitoring operations center, a notification upon an occurrence of the predetermined event to a first person in the hierarchy (SERS sending a notification to personnel (SCT) at the host location; paragraph 7, lines 1-8; p 8, p 9);

escalating, by the monitoring operations center, the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1); and

generating, by the monitoring operations center, a trouble ticket at a predetermined point in the hierarchy to track the escalation (tracking the escalation; paragraph 6, lines 4-8; paragraph 7, lines 1-8).

As per claim 16, Fox et al. discloses the method of claim 1, wherein the parameter is a service of the host system (paragraph 5, lines 3-7; paragraph 6, lines 1-7).

As per claim 17, Fox et al. discloses the method of claim 1, wherein the parameter is a utilization of a component of the host system (paragraph 5, lines 1-7; paragraph 6, lines 1-8).

As per claim 18, Fox et al. discloses the method of claim 17, further comprising:

monitoring additional parameters of the host system, wherein the additional parameters include a service of the host system (paragraph 5, lines 3-7; paragraph 6, lines 1-7); and

eliminating a redundant notification based on dependent parameters of the host system; paragraph 11).

As per claim 19, Fox et al. discloses a method comprising:

monitoring a host system for a parameter corresponding to a predetermined event; (the front end or expert system of a spacecraft constantly monitors function on the spacecraft and sends via satellite logs of the events to the monitoring operation center (SERS), the SERS monitors these log files constantly; paragraph 4, lines 1-8, paragraph 5, lines 1-7, paragraph 9);

generating, by a monitoring operations center, a notification upon an occurrence of the predetermined event to a first person in a hierarchy (SERS sending a notification to personnel at the host location; paragraph 7, lines 1-8; p 8, p 9);

escalating, by the monitoring operations center, the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1); and

determining an asset parameter of the host system (Figure 1).

As per claim 20, Fox et al. discloses a machine readable medium having stored thereon instructions, which when executed by a processor, cause the processor to perform the following:

Receiving an occurrence of a predetermined event related to a host system, the occurrence of the predetermined event determined by access of a port of the host system by a satellite system (the front end or expert system of a spacecraft constantly monitors function on the spacecraft and sends via satellite logs of the events to the monitoring operation center (SERS), the SERS monitors these log files constantly; paragraph 4, lines 1-8, paragraph 5, lines 1-7, paragraph 9);

Generating, by a monitoring operations center, a notification upon the occurrence of the predetermined event to a first person in a hierarchy (SERS sending a notification to personnel at the host location; paragraph 7, lines 1-8; p 8, p 9); and

Escalating, by the monitoring operations center, the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1).

As per claim 21, Fox et al. discloses the machine readable medium of claim 20, wherein the predetermined event is receipt of a state change of the parameter (paragraph 6, lines 5-8; cpa 9, lines 3-5; paragraph 10).

As per claim 22, Fox et al. discloses the machine readable medium of claim 20, wherein the processor further performs generating the notification a number of times for an amount of time (generating a notification recurrently; paragraph 11).

As per claim 23, Fox et al. discloses the machine readable medium of

claim 20, wherein the number of times, the amount of time, and the time period are configurable (setting the amount of times and how often a notification is sent; paragraph 11).

As per claim 24, Fox et al. discloses the machine readable medium of claim 20, wherein the processor further performs providing a suggestion as to a cause of the predetermined event occurrence (paragraph 8, paragraph 9, paragraph 12).

As per claim 25, Fox et al. discloses a machine readable medium having stored thereon instructions, which when executed by a processor, cause the processor to perform the following:

monitoring a host system for a parameter corresponding to a predetermined event (the front end or expert system of a spacecraft constantly monitors function on the spacecraft and sends via satellite logs of the events to the monitoring operation center (SERS), the SERS monitors these log files constantly; paragraph 4, lines 1-8, paragraph 5, lines 1-7, paragraph 9);

generating a notification upon the occurrence of the predetermined event to a first person in a hierarchy (SERS sending a notification to personnel at the host location; paragraph 7, lines 1-8; p 8, p 9);

and escalating the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period, wherein the processor further performs generating a trouble ticket at a predetermined point in the hierarchy to track the escalation (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1).

As per claim 26, Fox et al. discloses an apparatus, comprising:

means for monitoring a host system for a parameter corresponding to a predetermined event; (the front end or expert system of a spacecraft constantly monitors function on the spacecraft and sends via satellite logs of the events to the monitoring operation center (SERS), the SERS monitors these log files constantly; paragraph 4, lines 1-8, paragraph 5, lines 1-7, paragraph 9);

means for generating a notification upon the occurrence of the predetermined event to a first person in a hierarchy (SERS sending a notification to personnel at the host location; paragraph 7, lines 1-8; p 8, p 9); and

means for escalating the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1).

As per claim 27, Fox et al. discloses the apparatus of claim 26, further comprises means for determining whether the notification is successful (paragraph 7, lines 1-8).

As per claim 28, Fox et al. discloses the apparatus of claims 26, further comprising:

means for generating the notification a number of times for an amount of time (generating a notification recurrently; paragraph 11).

As per claim 29, Fox et al. discloses an apparatus comprising:

Means for monitoring a host system for a parameter corresponding to a predetermined event; (the front end or expert system of a spacecraft constantly monitors function on the spacecraft and sends via satellite logs of the events to the monitoring operation center (SERS), the SERS monitors these log files constantly; paragraph 4, lines 1-8, paragraph 5, lines 1-7, paragraph 9);

means for generating a notification upon the occurrence of the predetermined event to a first person in a hierarchy (SERS sending a notification to personnel at the host location; paragraph 7, lines 1-8; p 8, p 9);

means for escalating the notification to a second person in the hierarchy when the first person fails to acknowledge the notification in a time period (sending a notification to personnel at the host location; paragraph 7, lines 1-8; p 8, p 9); and

means for generating a trouble ticket at a predetermined point in the hierarchy to track the escalation (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1; and tracking the escalation; paragraph 6, lines 4-8; paragraph 7, lines 1-8).

As per claim 30, Fox et al. discloses an apparatus, comprising:

A configuration portal to interface with satellite system and configure an event for a parameter of a host system (the front end or expert system of a spacecraft constantly monitors function on the spacecraft and sends via satellite logs of the events to the monitoring operation center (SERS), the SERS monitors these log files constantly; paragraph 4, lines 1-8, paragraph 5, lines 1-7, paragraph 9);

a digital processing system coupled to the portal, the digital processing system to

receive data indicative of an occurrence of the event and generate a first notification (SERS sending a notification to personnel at the host location; paragraph 7, lines 1-8; p 8, p 9);

and a notification gateway coupled to the digital processing system to transmit the first notification to a first communication device, the digital processing system to generate a second notification to a second communication device if an acknowledgment is not received within a predetermined time (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1; and tracking the escalation; paragraph 6, lines 4-8; paragraph 7, lines 1-8).

As per claim 31, Fox et al. discloses the apparatus of claim 30, wherein the notification gateway transmits the second notification to the second communication device (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1).

As per claim 32, Fox et al. discloses the apparatus of claim 30, wherein the digital processing system comprises a server (paragraphs 4; paragraph 6, lines 4-8).

As per claim 33, Fox et al. discloses the apparatus of claim 30, further comprising a proxy server coupled to the digital processing system (paragraph 4; paragraph 6, lines 4-8).

As per claim 34, Fox et al. discloses a system, comprising:

a host satellite system coupled to a first network (the systems are connected by a satellite system such as Altairs; paragraph 1, liens 7-10; paragraph 5, lines 4-7; paragraph 7, lines 1-8; paragraph 9);

a plurality of communication devices (a network of devices; paragraph 1, liens 7-10; paragraph 5, lines 4-7; paragraph 7, lines 1-8); and

a monitoring operations center coupled to the first network, the monitoring operations center comprising:

a configuration portal to interface with a satellite system and configure an event for a parameter of a host system (SERS sending a notification to personnel based on the analysis of the log files; paragraph 7, lines 1-8; p 8, p 9);

a digital processing system coupled to the portal, the digital processing system to receive data indicative of an occurrence of the event on the first network and generate a first notification (the SERS system notifies personnel; paragraph 7, lines 1-8; p 8, p 9); and

a notification gateway coupled to the digital processing system to transmit the first notification to one of the plurality of communication devices, the digital processing system to generate a second notification to another of the plurality of communication devices if an acknowledgment is not received within a predetermined time (sending another notification after the first notification is sent; paragraph 7, lines 1-8; Figure 1).

As per claim 35, Fox et al. discloses the system of claim 34, wherein the first notification is transmitted on the first network (paragraph 7, lines 5-8).

As per claim 36, Fox et al. discloses the system of claim 34, further comprising a second network and wherein the first notification is transmitted on the second network (paragraph 7,

lines 5-8).

As per claim 37, Fox et al. discloses the system of claim 35, wherein the first network is an internet protocol network and the second network is a telephone network (paragraph 7, lines 1-8).

As per claims 42 and 45, Fox teaches the method of claims 1 and 20, wherein generating further comprises transmitting the occurrence of the predetermined event from the satellite system to the monitoring operation center (the front end or expert system of a spacecraft constantly monitors function on the spacecraft and sends via satellite logs of the events to the monitoring operation center (SERS), the SERS monitors these log files constantly and sends notifications to personnel (SCT); paragraph 4, lines 1-8, paragraph 5, lines 1-7, paragraph 7, lines 1-8, paragraph 8, paragraph 9).

As per claims 43 and 44, Fox teaches the method of claims 7 and 15, wherein the parameter of the host system is monitored by a satellite system, and wherein generating the notification further comprises transmitting the occurrence of the predetermined event from the satellite system to the monitoring operations center (the front end or expert system of a spacecraft constantly monitors function on the spacecraft and sends via satellite logs of the events to the monitoring operation center (SERS), the SERS monitors these log files constantly and sends notifications to personnel (SCT); paragraph 4, lines 1-8, paragraph 5, lines 1-7, paragraph 7, lines 1-8, paragraph 8, paragraph 9).

Response to Arguments

As per claims 1, 7, 15, 19, 2, 25, 26, 29, 30, and 34 applicant argues that the reference Fox does not teach accessing a port of a host system and a satellite system.

In response to applicants arguments in regards to these claims, which are method, system and apparatus claims with the same limitations, Examiner points out Figure 1 on page 327 of the reference that shows the system. Figure 1 shows a front end or expert system, which the reference in paragraph 9 states is located on a spacecraft and is connected to the monitoring operations center by a system such as Altairis, which from footnote 15 on page 331 explains is a satellite system. This front end system, or expert system, by definition has access to the ports on the host, or the spacecraft. It monitors the function of the spacecraft and sends reports to the SERS. This satisfies the limiatin of accessing a port of a host system by a satellite system to monitor a parameter for a predetermined event related to the host system.

The SERS, the spacecraft emergency response system in the MOC (monitoring operations center) in turn, monitors these reports and sends and escalates notifications accordingly. This teaches the claim limitations of generating by a monitoring operations center a notification.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

2. Lehner US Patent No. 6,757,850

3. Bentley US Patent No. 6,591,094

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (571) 272-3995. The examiner can normally be reached on Monday-Tuesday 9 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Uzma Alam
Ua

SALEH NAJJAR
PRIMARY EXAMINER